

Ottawa Police Services Board Meeting

February 24, 2022, 9 a.m.

Please use this link to view Ottawa Police's presentation at the beginning of the board meeting.

Motion presented by Councillor El-Chantiry

- After Action Report: Motion to work with Procurement Office to identify an independent reviewer who is able to assess the overall response
- Report to find out what happened and why

Questions from Board Members and Councillors

Councillor Leiper: Thank you for the actions you took over the weekend. What authorities are no longer available to you with the Emergency Act being revoked? Do you still have the power to arrest those who enter the red zone?

Interim Chief Bell:

- Thank you for recognizing our efforts
- There will be lessons learned to make sure this is never repeated again
- The acts from the three levels of government were extremely beneficial to manage the situation
- When we heard of the removal of that act, we took time to assess the abilities that remain
 - We're comfortable in being able to manage the situation this weekend
- One of the most beneficial aspects was financial consequences and investigation for those involved – if you were on our streets, parked and engaged, your accounts could be frozen
 - It's been established that it's not necessary at this point
- We will be able to continue investigations that were started under the Emergency Act
- As a pedestrian, we can't interfere you from going in the red zone, unless you blocked the roadway or engaged in illegal activities
- we still have the ability to stop vehicles, will continue with checkpoints

Councillor Leiper: With respect to partners, the Emergency Act would allow us to use other officers outside of Ottawa. Do they still have the same powers today?

Interim Chief Bell:

- Yes absolutely
- There's been amazing commitment from our partners
- RCMP and OPP will be there with us until this is done

Council Leiper: What's the recent intelligence on the encampments outside of Ottawa?

Interim Chief Bell:

- We are monitoring all those activities
- Have a response plan in place to ensure they are appropriately dealt with, won't be allowed downtown

- Our belief is that they may grow on the weekend

Council Leiper: With respect to the ARWEN device, what is that exactly?

Deputy Chief Burnett:

- Extended range baton
- Shoot out a projectile, the equivalent of being hit with a fast ball baseball
- Allows officers to use that weapon or someone at a distance to deter aggressive behavior

Councillor Leiper: We moved a motion to do an inquiry, one of the aspects is residents want to understand the widespread assertion that police were complicit in the early days of the occupation. It's critical that we address that. Is your inquiry able to explore that question and explore it in depth?

Councillor El-Chantiry:

- Yes it encompasses all that
- Can make an amendment to state it clearly in the motion

Member Nirman: Justin Ling says that a source in the emergency response team shared that an operation was cancelled when there was concern that it was leaked to the protesters. Can you confirm the validity of this claim?

Interim Chief Bell:

- We're not going to get into operational details today, will be part of that review
- Will provide all the information in a comprehensive way
- I acknowledge the importance of the question, I think it needs to be within the body of the review, it would be more responsible

Member Nirman: Will you be investigating that claim?

Interim Chief Bell:

- There are internal reviews being done with conduct of members that we take seriously
- Will be investigated and reported on as the investigations progress
- There cannot be any complicity in our members with the protesters

Member Nirman: In the Integrated Command Centre – OPS was the lead force, can you advise the role what role was played by OPP and RCMP?

Deputy Chief Ferguson:

- ICC approach was led by OPS , additional commanders from RCMP and OPP
- For 24/7 basis, 3 during the day and 3 at night
- Made decision collaboratively, made sure all the information was shared with their designated officers
- Communication and decisions made at the silver level was communicated up and down
- Worked tremendously well, had real time communication and intelligence

Member Nirman: Total cost to date – what is the history of getting help from the provincial and federal government?

Dunker:

- We have been working closely with the city to make sure we're sharing the cost as they come in
- We can plan together to seek reimbursement from the other levels of government
- Look into existing grants
- Optimistic that we will continue to have support to having those costs reimbursed

Member Nirman: is 31M estimate separate from the City costs or included?

Dunker:

- Soft costs, may have been looking at the 800K a day as the initial policing cost estimate
- Invoices come in daily, we are still verifying costs
- Most have to do with salaries from all the agencies

Interim Chief Bell:

- We need to keep in mind that we're still in the middle of the operation
- Actively looking to build the financial costs to submit to prov and fed governments
- Will report on the financial costs to the board when they are known in reality

Member Johnson: During the protest, there was a 6-day blockade at the Ambassador Bridge. Do you think the 6-day blockade hindered on the initial response led by RCMP and OPP?

Interim Chief Bell:

- We worked exhaustively with OPP and RCMP
- There were several demonstrations in Western Canada as well, and other parts of the country
- We had the largest and most complex demonstration (in terms of area, equipment, people etc.)
- We have been engaged with our policing partners on how we deploy our resources to end them at the most appropriate time

Member Johnson: Community members have spoken to me, that the BIPOC and LGBT community believe there is a double standard in the police response. In the review, I think it's important to take this into consideration and take the feedback in some way to ensure there is no double standard. Do you have any comments about this?

Interim Chief Bell:

- I'm happy you raised that
- We often talk about traumatic effect that this demonstration has had on a geographical base in Ottawa
- It affected much broader than the people downtown, there are people across the city who feel the effect of having a group come into our city and occupy our streets
 - Most pronounced in minority groups
- I've had many conversations with community leaders, to start to unpack that
- Commitment to community healing – there is a perception of a double standard in the police service, we acknowledge it and work hard with those communities to understand what we need to do to repair that trust
- This is the area I am most concerned about and am most focused on

Member Valiquet: Is there a role for the mounted unit in our own service moving forward?

Interim Chief Bell:

- Many discussions about this for a number of years
- I would be interested in engaging in that conversation within our community, our police service and our board
- They are expensive, need to do a cost analysis and see how we could use it in our city
- It was an important part of our demonstration, will be included in our review and if it should be utilized in our service
- Very helpful in us maintaining control on the situation

Member Swaita: Are there currently other protests underway in other parts of Canada?

Interim Chief Bell:

- Yes, we continue to monitor them across the country

Member Swaita: As a police service, other than enforcement, what can the police do to help address these underlying issues?

Interim Chief Bell:

- Better suited for elected officials
- Will continue to negotiate with protesters to keep them from coming back
- In terms of broader dialogue, this isn't the responsibility of the police

Member Swaita: is the Integrated Command Centre still in effect?

Deputy Chief Ferguson:

- Still very much stood up, will be until the conclusion of the operation

Member Swaita: Do we have criteria established to say that it is done?

Deputy Chief Ferguson:

- Will be a collection of things
- Community feeling, intelligence that we have, any indication that the protesters have stood down

Member Swaita: There are similar protests beginning in the US, is OPS in communication with the US?

Interim Chief Bell:

- We haven't been canvassed yet, but we would be willing to provide lessons learned and our perspective

Member Swaita: How do you think the US protests will affect Ottawa and Canada?

Interim Chief Bell:

- Will continue to maintain intelligence, work with CBSA
- Maintain a presence in the event that something were to come across the border

- We have absolute commitment from our partners that until there are no more threats to our community, they will not be leaving

Member Swaita: Is this going to be considered as part of the ongoing costs, or something we want to recoup from the province and federal governments?

Dunker:

- Will continue to track and verify all the costs, if they are associated with the protest we will be asking for reimbursement

Councillor Hubley: At what point did you realize you needed more resources, and came up with the number you needed?

Interim Chief Bell:

- This will be an important piece of the review
- From the early days, we began to work with OPP on the second day
- We knew we needed to partner with other agencies
- Dates when that occurred will be part of the review
- We knew from early on we needed resources and partners came on at an increasing basis

Councillor Hubley: You said you are able to keep the resources even with Emergency Act being revoked, does that include tow trucks? Did we need the Emergency Act to do this?

Interim Chief Bell:

- Yes that is correct
- Will be part of the federal review as well to make sure this was needed
- All tools were helpful and were used to end the unlawful occupation

Councillor Hubley: I really like your motion, trusting the report will be public. We get a lot of questions around the former board and the direction provided to police. Will this be part of the report so we know exactly what transpired?

Councillor El-Chantiry:

- It is part of the review
- This motion is about what happened at the OPS level, and to work with other inquiries
- Setting the terms of reference

Councillor Hubley: How many hate crime charges?

Councillor El-Chantiry: We will email this number to you

Councillor Curry: Governance review of the OPSB in 2020, did this take place and were there not a clear relationship between OPSB and municipal councillors?

Krista

- Board didn't do a governance review, but did activity report (was supposed to come out a few weeks ago but got delayed to due state of emergency)

- Will get forwarded to Council
- Every 4 years or so, OPSB does an evaluation with external assistance for independent advice

Councillor Kavanagh: There needs to be a discussion around how to handle demonstrations moving forward – meet with communities who would like to have input. There’s a feeling there was a double standard and that needs to be addressed.

Interim Chief Bell:

- As indicated earlier, we already started that process
- There is a lot of work to do to engage members of the communities on how to want to move forward with protests
- Need to hear and understand the feelings and perceptions of our minority community members
- Committed to rebuilding that trust

Councillor Kavanagh: You still have a perimeter set up, if someone walked up to Parliament hill with a sign, what would happen (i.e. denounce what is happening in Ukraine) – is this allowed?

Interim Chief Bell:

- Support and allow lawful protests
- We will allow lawful protesting and not allow unlawful protests we have been seeing in our streets

Councillor Kavanagh: What has changed in terms of intelligence gathering?

Interim Chief Bell:

- This is identified in the review we will be part of
- Gathering and dissemination of intelligence needs to be looked at for this occupation and any moving ahead
- Will be a focus in our review efforts

Councillor McKenney: On the issue of increased costs with respect to protests, I want to ensure that any consideration with increased budget takes into account policing in federal areas.

Interim Chief Bell:

- As Blair spoke about, we have an extraordinary line item that we receive from the federal government (\$3M) for policing the nation’s capital
- This has exasperated it , costs will continue to grow
- It is time for us to start engaging with federal government that the city doesn’t bare a burden for being a policing jurisdiction in the nation’s capital

Councillor McKenney: the effect on Centretown residents and diverse communities, they really suffered. I want to establish that I have been in constant conversations with OPH, health centre, organizations serving these communities. What they really need right now is a response more than they need community meeting with me, police etc. Need to be sensitive to mental and social needs of downtown residents.

Councillor McKenney: We've heard that members of OPP, Toronto and Ottawa Police were identified as donors to the occupation. This is highly concerning. I'd like to hear if the review will take into account these donors?

Interim Chief Bell:

- I'm exceptionally proud to work with the mass majority of dedicated women and men who serve our community
- There have been issues identified and investigations have commenced into activities of people within police services
 - As part of the review and outside of the review
- If you helped support the demonstration, there is no room for you in the police organization
 - They have hurt our mission and our values

Councillor McKenney: In the motion that I've put forward, I think of the options that came back, having OPSD request that Ontario Police Commission conducts the investigation and reports on the approach that was taken would be best. I would ask the board to consider the review is the weakest of the options. We should be looking into strengthening our review to make sure this never happens again in our city.

Councillor King: Can you describe the resources that will be provided to investigate and charge all participants in the demonstration?

Deputy Chief Ferguson:

- RCMP and OPP offering resources to help us finish the investigations
- We divided it in 3 groups of investigation – there are specific skillsets required such as cybercrime, social media checks, how to prove the elements of the offense

Councillor King: Federal and Provincial governments will hopefully pay for the costs for the protests, would the cost of the investigations be added to that bill?

Deputy Chief Ferguson:

- I suspect the costs associated to that would be brought forward

Interim Chief Bell:

- OPP and RCMP - they have an unwavering commitment to help us to the end

Councillor King: We continue to have harassing behaviors in Ottawa. There are pockets of protesters. What actions are being done to protect our communities (and schools) from protesters?

Interim Chief Bell:

- We continue to flag and investigate all complaints we are getting
- Ask the public to report those incidents to the police

Councillor Brockington: Are any members of the Provincial Parliament being investigated for encouraging people to storm parliament hill, disobey police orders, and swarming our 911 call centre?

Interim Chief Bell:

- Can't provide any information on ongoing investigations

Councillor Brockington: Is it against the law to try to swarm 911?

Interim Chief Bell:

- We've received several complaints, pieces of information that there was direction to overwhelm our 911 system
- We will treat those incidents seriously and will commence a criminal investigation

Councillor Brockington: There weren't any heads up to Councillors that OPS were leaving their communities, or if they were brought back to communities?

Interim Chief Bell:

- All areas of OPS were dramatically impacted
- Need to redeploy resources from all units
- We are looking to make efforts to resume regular operations, which includes the return of neighbourhood resource teams
- Won't be able to do that until operations is concluded

Councillor Brockington: Can you do some outreach to Councillors once those resources are back? I understand you have the reassign resources, but we have crimes happening and the resources aren't there to help with them.

Councillor Brockington: \$31M estimate of costs – for police costs, is it up to OPS or the City of Ottawa to advocate for the repayment of these costs to provincial and federal governments? Who is speaking on behalf of all organizations?

Interim Chief Bell:

- The level of cooperation between the police services has been amazing
- It isn't one or the other, it's all of us
- We have regular conversations with City Manager, CFO around that
- Will continue to work together and make sure our collective budgets receive proper funding

Councillor Menard: I am disappointed in the OPSB to not allow the public to participate in this meeting. I was hoping to get a delegate count of how many people signed up?

Krista:

- I don't have the final count, will get someone to send that to you

Councillor El-Chantiry:

- Staff didn't have time for an agenda
- The same people involved in the agenda are the ones who will bring forward
- We will be working with the public, once we have the agenda, we will reach back and invite them to speak to us
- We aren't avoiding, we just don't have items

Councillor Menard: I find the reasons provided were inadequate. They are the ones paying for these boards. The main reason is because the members are new – the only new one is Leiper. It is further called upon in the motion presented today, this should have crucial public input.

Councillor Menard: The first 22 days, we saw very little enforcement. I'm talking about basic enforcement in residential areas. Was there direction from the executive team or not to enforce those basic laws?

Interim Chief Bell:

- All of these components will be part of the review

Councillor Menard: I hope the board consider the Ontario Civilian Police Commission to be part of this. They have the ability to investigate, that is their function. A simple review has been proposed today, it is not enough. I urge you all to take greater action.

Councillor El-Chantiry:

- Our members are still fully engaged in the operation
- Motion to get the process in place

Councillor Egli: I want to confirm – how did the trucks get in the downtown core in the first place? Why weren't road blockades put up? Can I get some assurance that the review will consider these questions?

Interim Chief Bell:

- I can confirm that this will be a major part of the review – how the demonstration unfolded and how future demonstrations involving vehicles will unfold

Councillor Kitts: There was a sharp shift in how OPS was communicating with the public, it was excellent in my opinion. Council began to receive helpful updates from the Chief as well. I know you mentioned communications were integrated in the command unit, do you have plans to leverage that expertise moving forward for every day communications and future events?

Interim Chief Bell:

- Yes – through past inquiries, failing and faltering of communication was something that led to poorer outcomes and perceptions
- We made sure we could counter false narratives and provide relevant, timely information
- My opinion is that it was exceptional

Vote on Councillor El-Chantiry's Motion

Councillor El-Chantiry: I want to clarify: today we are giving direction to the Executive Director to work with procurement to find someone to make the report.

Councillor Leiper: I've heard Councillor McKenney and Councillor Menard talk about the importance of reviewing what happened. I want to make sure that your motion today contains a few key pieces. Can you amend:

- Systemic issues (i.e. racism, anti-vaccination sentiment) compromised the OPS response
- OPS response compares to other demonstrations in recent years

Councillor Leiper: I think we should have included public delegations. Are there any reasons why this couldn't be done March 28?

Councillor El-Chantiry: We wanted to get it started now, can be discussed further on March 28

Councillor Leiper: I would like to move that we request Ontario Civilian Police Commission conducts the investigation

Councillor El-Chantiry: We are calling this unlawful protest – can we change the wording, I'm not sure we are in the position to call it an occupation etc.

Member Swaita: I want to build on public input – I want to ensure that your motion incorporates the ability for the board and public delegates to frame the review before we ask a particular vendor to proceed?

Councillor El-Chantiry:

- Yes I believe so
- I presented my motion with some ideas, we will present it at the board in March
- If the public wants to add some clauses, that's fine
- It is to get an action report very quickly

Member Swaita: It is safe to assume there will be many inquiries by different bodies. Can we move Member Leiper's motion to March 28 meeting?

Councillor El-Chantiry:

- No one can investigate a member other than OCPC
- Member Leiper is asking them to investigate the use of power, will be up to OCPC to accept or not

Member Nirman: Do you feel your motion is not a duplication in any way?

Councillor El-Chantiry:

- My report is to get answers as to what happened and will be incorporated in other inquiries
- This is only about the police operation

Member Nirman: I would like to add "internal and external" to communications and add "handle major events and crisis management" to board's responsibilities in the motion.

Member Valiquet: I think the motion is a good public engagement exercise, they will be able to provide further input in March.